

Peter S. Winokur, Chairman
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**DEFENSE NUCLEAR FACILITIES
SAFETY BOARD**

Washington, DC 20004-2901



February 16, 2011

The Honorable Steven Chu
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Chu:

The Board is in receipt of a letter dated February 11, 2011 from Mr. Scott Harris, General Counsel and Mr. Timothy Lynch, Deputy General Counsel for Litigation and Enforcement. The Board has reviewed the letter and the enclosed privileged information. Consistent with the Board's communication to you on July 27, 2010, the Board is conducting an investigation pursuant to its authority under 42 U.S.C. §2286, et seq., of health and safety concerns described in a letter from Dr. Walter J. Tamosaitis dated July 16, 2010 to the Board. This investigation is consistent with the Board's statutory duty under the Atomic Energy Act of 1954, as amended which states in relevant part:

(2) Investigations.

- (A) The Board shall investigate any event or practice at a Department of Energy defense nuclear facility which the Board determines has adversely affected, or may adversely affect, public health and safety. 42 U.S.C. §2286a (a)(2).

Sincerely,

Peter S. Winokur, Ph.D.
Chairman